

COPY

DECLARATION AND POWER OF ATTORNEY

Attorney Docket No. 22660-0028US

Serial No. 09/583,807

As a below named joint inventor, each of us hereby declares as follows:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**APPARATUS AND METHOD FOR ANALYZING A FLUID SAMPLE**

the specification of which was filed on May 30, 2000 as United States Application Number 09/583,807. I have reviewed and understand the contents of the above-identified specification, including the claims.

This application [in part] discloses and claims subject matter disclosed in my earlier filed provisional application Ser. No. 60/136,703 filed May 28, 1999 of which I claim the benefit under 35 USC §120 [or 119(e)].

I acknowledge the duty to disclose information of which I am aware that is material to the examination of this application in accordance with 37 CFR §1.56(a), including material information which occurred between the filing date of said prior application and the filing date of this [continuation-in-part] application, insofar as the subject matter of the claims is not disclosed in said prior application in the manner provided by 35 USC §112, first paragraph.

That, as to the subject matter of this application which is common to said earlier application, I do not know and do not believe: that this invention was ever known or used in the United States of America before our invention thereof; that this invention was patented or described in any printed publication in any country before our invention thereof or more than one year prior to said application; that this invention was in public use or on sale in the United States of America more than one year prior to said application; that this invention has been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said application; nor that any application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to said application by me or my legal representatives or assigns.

**HEWM LLP  
DE-DOCKETED**

**SEP 19 2000**

09/583,807

That, as to the subject matter of this application which is not common to said earlier application, I do not know and do not believe: that this invention was ever known or used in the United States of America before our invention thereof; that this invention was patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application; that this invention was in public use or on sale in the United States of America more than one year prior to this application; that this invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; nor that any application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns.

I hereby appoint the following to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

William B. Anderson, Registration No. 41,595  
Y. P. Chow, Registration No. 30,740  
Robert F. Dennis, Registration No. 40,988  
Derek P. Freyberg, Registration No. 29,250  
Walter Kurz, Registration No. 37,373  
Edward Lynch, Registration No. 24,422  
Priscilla H. Mark, Registration No. 41,970  
William Schmonsees, Registration No. 31,796  
Herwig von Morzé, Registration No. 29,484  
Mark B. Floyd, Registration No. 41,022

Direct all telephone calls to: **William Schmonsees at (650) 324-7041**

Address all written correspondence to:

Heller Ehrman White & McAuliffe  
525 University Avenue  
Palo Alto, CA 94301-1900.

## DECLARATION AND POWER OF ATTORNEY

Attorney Docket No. 22660-0028US

Serial No. 09/583,807

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

FIRST JOINT INVENTOR

INVENTOR'S SIGNATURE

DATE

Kurt E. Petersen



8/30/00

RESIDENCE

CITIZENSHIP

460 Oak Grove Drive #205  
Santa Clara, CA 95054

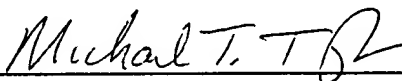
USA

SECOND JOINT INVENTOR

INVENTOR'S SIGNATURE

DATE

Michael T. Taylor



8-29-00

RESIDENCE

CITIZENSHIP

6304 Buena Vista Dr. #C  
Newark, CA 94560

USA

THIRD JOINT INVENTOR

INVENTOR'S SIGNATURE

DATE

Farzad Pourahmadi



8/31/00

RESIDENCE

CITIZENSHIP

41013 Pajaro Drive  
Fremont, CA 94539

USA

## DECLARATION AND POWER OF ATTORNEY

Attorney Docket No. 22660-0028US

Serial No. 09/583,807

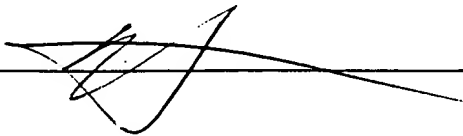
## FOURTH JOINT INVENTOR

## INVENTOR'S SIGNATURE

## DATE

William A. McMillan

RESIDENCE

8051 Presidio Drive  
Cupertino, CA 950149/5/00  
CITIZENSHIP

USA

## FIFTH JOINT INVENTOR

## INVENTOR'S SIGNATURE

## DATE

Ronald Chang

RESIDENCE

3312 Hoover Street  
Redwood City, CA 940638/30/00  
CITIZENSHIP

USA

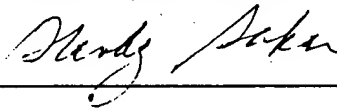
## SIXTH JOINT INVENTOR

## INVENTOR'S SIGNATURE

## DATE

Stanley H. Sakai

RESIDENCE

10325 Menhart Lane  
Cupertino, CA 950149/1/2000  
CITIZENSHIP

USA

T02007-HE402650

## DECLARATION AND POWER OF ATTORNEY

Attorney Docket No. 22660-0028US

Serial No. 09/583,807

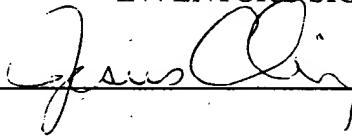
SEVENTH JOINT INVENTOR

INVENTOR'S SIGNATURE

DATE

CHING, Jesus

RESIDENCE

2317 Alcalde Street  
Santa Clara, California 95054

9/5/00

CITIZENSHIP

USA

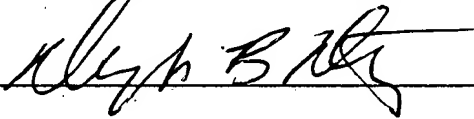
EIGHTH JOINT INVENTOR

INVENTOR'S SIGNATURE

DATE

Douglas B. Dority

RESIDENCE

25 Castle Rock Drive  
Mill Valley, CA 94941

9/5/00

CITIZENSHIP

USA

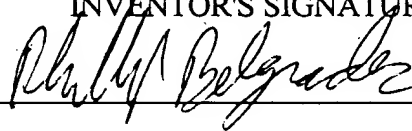
NINTH JOINT INVENTOR

INVENTOR'S SIGNATURE

DATE

Phillip Belgrader

RESIDENCE

719 Pebble Way  
Manteca, CA 94336

8/31/00

CITIZENSHIP

USA

2000-10-26 14:26:50

DECLARATION AND POWER OF ATTORNEY

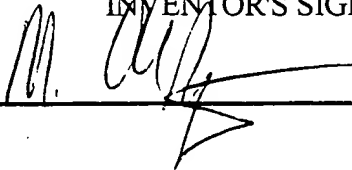
Attorney Docket No. 22660-0028US  
Serial No. 09/583,807

TENTH JOINT INVENTOR

INVENTOR'S SIGNATURE

DATE

M. Allen Northrup



9-5-00

RESIDENCE

CITIZENSHIP

616 Vistamont Avenue  
Berkeley, CA 94708

USA

22660-0028US